



**State Motorcycle Safety Association**

# Policy and Procedures Manual

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# POLICIES AND PROCEDURES MANUAL

SMSA policies and procedures support the SMSA Bylaws and are guiding principles considered to be expedient, prudent, and advantageous for the Association. These policies and procedures may be changed by a simple majority vote of the members of the Executive Committee. In cases requiring immediate action, exceptions to the policies and procedures may be made by the Chairperson and later ratified by the Executive Committee.

## Policies and Procedures in Support of the SMSA Bylaws

### Membership

Supports SMSA Bylaws Article III – Membership

#### Annual Membership Dues

As of CURRENT DATE the SMSA Executive Committee established the following dues structure.

Current annual membership dues are:

State Membership	\$1,200.00
Supporting Partner	\$2,500.00
Supporting Membership	\$1,200.00
Supporting Non-Profit	\$600.00
Supporting Small Business	\$600.00
Individual Gold Membership	\$50.00
Individual Silver Membership	\$25.00

#### Dues

Annual dues are non-refundable and are not pro-rated.

##### Accepted Payment Methods

- Checks (preferred method); Checks drawn on a U.S. bank in U.S. dollars
- Credit Cards
- American Express, MasterCard, VISA, Discover

**Bounced Check Policy:** Dues checks returned to SMSA for Non-Sufficient Funds will be returned to the sender with an invoice for the NSF fees charged to SMSA by the bank, currently \$36.00.

## Regional Representation

<b>Eastern Region</b>	<b>Central Region</b>	<b>Western Region</b>
Connecticut	Alabama	Alaska
Delaware	Arkansas	Arizona
Florida	Illinois	California
Georgia	Indiana	Colorado
Maine	Iowa	Hawaii
Maryland	Kentucky	Idaho
Massachusetts	Louisiana	Kansas
New Hampshire	Michigan	Montana
New Jersey	Minnesota	Nebraska
New York	Mississippi	Nevada
North Carolina	Missouri	New Mexico
Pennsylvania	Ohio	North Dakota
Rhode Island	Tennessee	Oklahoma
South Carolina	Wisconsin	Oregon
Vermont		South Dakota
Virginia		Texas
West Virginia		Utah
		Washington
		Wyoming

For Current Membership Status, please check the SMSA Web Site – [www.smsa.org](http://www.smsa.org)

See SMSA Bylaws Article III for additional details on Membership and Dues.

### **Proxy Ballots**

Supports SMSA Bylaws Article IV – Voting

Article IV: Section 7 of the Bylaws defines the process for Proxy Ballots.

A Temporary Proxy form must be received by the SMSA Business Office seven days prior to any meeting where SMSA business will be conducted. Special situations may be considered by the Executive Committee on a case-by-case basis.

To be eligible for the Supporting Member Representative proxy, the proxy must be employed by a Supporting Corporate or Supporting Partner member. Small Business and Non-profit Supporting members do not qualify for a proxy.

To be eligible for the Individual Member Representative proxy, the proxy must be a Gold Level Individual member.

## **Meetings**

Supports SMSA Bylaws Article V – Meeting of Members

It is the policy of SMSA to conduct its Annual Members' Business Meeting in conjunction with the SMSA Annual Conference.

## **Elections**

Supports SMSA Bylaws Article VI – The Executive Committee

Nominations for SMSA Executive Committee members, including the Chairperson, shall be reviewed by the SMSA Policy and Research Committee.

Nominations or announcement of candidacy for the Executive Committee shall be made in writing to the SMSA Office following the format/timeline listed below. In the event that no qualified candidates come forward for a position, the Policy and Research Committee may seek qualified candidates from the membership at-large and shall add them to the slate of nominees as is appropriate.

To qualify for chairperson, regional representatives and members-at-large, a candidate must be the State Designated Voting Representative from a member state in good standing.

To qualify for Supporting Member Representative, the candidate must be employed by a Supporting Corporate or Supporting Partner member. Small Business and Non-profit Supporting members do not qualify for the Supporting Member Representative position.

To qualify for the Individual Member Representative, the candidate must be a Gold Level Individual member.

The SMSA Office shall distribute to members of their respective categories the slate of nominees accompanied by pertinent biographical and/or other information for each nominee following the format/timeline listed below.

The SMSA Office will conduct the election by distributing ballots, counting the ballots, and announcing the results following the format/timeline listed below. The election process is determined by the Policy and Research Committee and may include, but not limited to, online ballots or email ballots.

No later than April 15:	SMSA Office sends out email to all members requesting nominations of a candidate from their respective membership category.
June 1:	SMSA Office receives all nominations and closes the nomination process.
No later than July 1:	SMSA Office composes the ballots, conducts the elections.
No later than July 31	SMSA Office counts the ballots.
August 1:	Election results are announced to members.

Blank ballots, altered ballots, or votes for ineligible persons are counted as illegal ballots and are not factored in the overall count.

\*This section is not intended to supersede the SMSA bylaws.

\*\*Elected Executive Committee Members shall receive a copy of the SMSA Bylaws and the SMSA Policy and Procedure Manual upon assuming the position.

### **Executive Committee Vacancies**

Supports SMSA Bylaws Article VI – The Executive Committee

Article VI: Section 7 of the Bylaws defines the process for filling Executive Committee vacancies.

The Supporting Member position is associated with an individual employed by Supporting Member; not the Supporting Member entity themselves. If the Supporting Member Representative leaves their Supporting Member employer for another Supporting Member, the Supporting Member Representative (the individual) will continue in their capacity on the Executive Committee. If the Supporting Member Representative leaves their Supporting Member employer for a non-member entity, the Supporting Member Representative (the individual) must relinquish their position on the Executive Committee and the SMSA Chairperson shall appoint a qualified Supporting Member Representative to the Executive Committee to fill the remainder of the term as defined in Article VI Section 7.

## **Other Policies and Procedures (Alphabetical Order)**

### **Annual Conference**

#### **Registration fees**

Fees for the Annual Conference are established by the SMSA Executive Committee. Fees for the SMSA Annual Conference are due to the office by deadlines stated on the registration form.

#### **Refund Policy for Annual Conference**

Fees paid for the annual conference will be refunded if the office is notified in writing up to one week prior to conference date. No shows will not be refunded.

#### **Conference Workshops**

Professional Development Workshops (PDWs) may be conducted during the annual conference and space is limited – preregistration is required. Registration fees for PDWs may be established by the Executive Committee.

#### **Exhibitor Policy**

Following is the policy for exhibitor space at all SMSA annual conferences and other events:

Available exhibit space and fees are determined annually based on selected site.

All State and Supporting members receive one exhibit space free of charge. Requests for additional exhibit spaces must be pre-approved by the SMSA Conference Committee and the appropriate exhibit fee for that year must be paid for the additional space(s).

Exhibit Space does not include Conference registration. Each exhibit participant must register separately for the Conference.

Costs incurred for setup, phone, electricity, internet and any miscellaneous charges will be charged to the exhibitor and collected prior to the annual conference.

SMSA may, at its discretion, establish an exhibitor only conference registration fee.

#### **Conference Host Committee**

The SMSA will establish a conference Host Committee. The Host Committee will collaborate with the SMSA Executive Committee and the SMSA Communications and Membership Committee to plan the conference.

## Annual Conference Responsibilities

<b>SMSA Responsibilities</b>	<b>Host State Responsibilities</b>
<b>Pre-Conference</b>	<b>Pre-Conference</b>
Secure contract with hotel/conference facility. SMSA is responsible for all financial and contractual arrangements.	Assist SMSA in determining possible hotel/conference facility locations.
All coordination and communication with the hotel/conference facility.	
Participate in the state/local host committee activities. Coordinate all activities with the SMSA committee for conference planning.	Assembling and coordinating a state/local a host committee to assist with planning and conducting the annual conference.
Assist the host state with determining if grants are available to assist with the conference.	Determine if grants are available to assist with the conference in coordination with the state highway safety office.
Prepare and distribute the conference call-for-papers. Review and approve call-for-papers.	Arranging local speakers for the conference program.
Arrange national speakers for the conference program.	Assisting SMSA with arranging national speakers for the conference program.
Solicit and coordinate national exhibitors for the annual conference.	Identify local vendors, as appropriate, to participate in exhibit activities.
Assist the state in planning riding activities within the conference program.	Plan riding activities within the conference program.
Plan and coordinate a Welcome Reception. Solicit sponsors for the Welcome Reception.	Assist SMSA in planning a Welcome Reception.
Assist the host state as need in arranging a Host Outing Event. Collect payments and provide a check to the coordinating organization to cover costs.	Arrange a Host Outing Event. The event will be optional for attendees. SMSA will collect outing fees from participants and a check will be provided to the coordinating organization.
Solicit sponsors for the annual conference.	Identify possible sponsors for SMSA to solicit for sponsorship.
Plan, develop and promote the annual conference program agenda.	Assist SMSA in identifying possible topics and activities for the annual conference program agenda.
Solicit conference bag and raffle giveaways.	Collect conference bag and raffle giveaways from organizations solicited by SMSA.



<b>SMSA Responsibilities</b>	<b>Host State Responsibilities</b>
<b>On-Site-Conference</b>	<b>On-Site-Conference</b>
All conference registrations and payments.	Staffing an on-site Host Committee table to assist attendees with local information and needs.
Coordinating with hotel/conference facility personnel on all conference and meal needs. The SMSA Executive Director and Meeting Planning will only be authorized to approve requests requiring additional costs.	Staffing each general and breakout session room with a person to provide all needs for audio / visual equipment and general coordination needs. These persons will coordinate with the SMSA Meeting Planner.
SMSA can provide laptops and AV projectors if needed.	If possible, provide AV projectors, projection screens, AV carts and sound system equipment.
	Staff and coordinate the Host Outing Event.
Coordinate the Welcome Reception.	Assist SMSA in coordinating the Welcome Reception.
	Coordinate all raffle giveaways.
Assist the state in coordinating and conducting riding activities within the conference program.	Coordinating and conducting riding activities within the conference program.

## Call for Papers

All presentation proposals shall be submitted by email to [office@smsa.org](mailto:office@smsa.org) **no later than March 30, of the current year.** Proposals will be reviewed by the designated SMSA committee for acceptance. Submissions will be notified of proposal acceptance. Proposals received after the deadline may only be considered once all proposals submitted by the deadline have been considered and be based on available openings.

Please see the SMSA Call for Papers at [www.smsa.org](http://www.smsa.org).

## Presenter Policy

Presentations marketing or selling products or services shall not be considered. Presentation topics may not be changed without prior written approval from the SMSA. Presenters are expected to give a professional high-quality presentation relating to the motorcycle safety topic areas listed in the call for papers.

Presentations shall allow for participant interaction, stay on schedule and provide a minimum of 15 minutes at the end for participant questions. SMSA does not provide honorariums or travel expenses for presenters. Presenters will receive a \$100.00 discount. Presenters who only present will not be charged a registration fee.

Presenters shall submit their final presentation electronically to the SMSA at [office@smsa.org](mailto:office@smsa.org) a minimum of 10 working days prior to the conference. Presenters shall notify the SMSA at [office@smsa.org](mailto:office@smsa.org) as soon as possible if they are unable to do their presentation at the SMSA conference. These presenters may identify a replacement and submit the replacement's bio. The SMSA will notify the original presenter and replacement if the change was accepted.

Presentation handouts are the responsibility of the presenter. The SMSA will not duplicate presentation materials. The SMSA reserves the right to duplicate, distribute and post to the SMSA web page all presentations.

**Presenters shall follow the *SMSA Presenter/Presentation Guidelines* available at [www.smsa.org](http://www.smsa.org).**

## **Awards**

### **SMSA Outstanding Contribution Award**

The SMSA Membership and Communications Committee will seek nominations for the SMSA Outstanding Contribution Award. This annual Award recognizes individuals who through their dedication, commitment and contribution to motorcycle safety have made a positive impact on a national, state or local level. SMSA selects one (1) person annually for this award. Nominees may be currently or previously associated with the SMSA or an SMSA member's program or organization. Individuals may not nominate themselves and individuals that have previously received this award are not eligible. Members of the Membership and Communications Committee are also not eligible for nomination. Nominations for individuals who do not receive an award can be considered for up to three (3) years.

#### Nomination Requirements

- A description of the nominee's relationship to the SMSA or Member's program or organization;
- A detailed description of the nominee's contributions and accomplishments in motorcycle safety and how they impacted national, state or local efforts;
- The nominator's rationale and justification for nominating this individual; and
- Endorsements from other individuals that support this person's nomination.

### **SMSA Outstanding State Award**

The SMSA Membership and Communications Committee will seek nominations for the SMSA Outstanding State Award. This Award recognizes a state with a comprehensive state motorcycle safety program (NHTSA Highway Safety Program Guideline No. 3 – Motorcycle Safety Program) and has implemented strategies that are successful, effective and can be measured, evaluated and serve as best practices.

## Nomination Requirements

- A detailed description of the state's comprehensive program;
- A description of recent motorcycle safety strategies;
- A description of how the strategies are measured and evaluated; and
- A description how the strategies impacted the motorcycle safety program.

### **SMSA Outstanding Individual Member Award**

The SMSA Membership and Communications Committee will seek nominations for the SMSA Outstanding Individual Award. This Award recognizes individuals who through their dedication, commitment and contribution to motorcycle safety have made a positive impact on a national, state or local level. SMSA selects one (1) person annually for this award. Nominees must be currently associated with the SMSA or an SMSA member's program or organization. Individuals may not nominate themselves; individuals that have previously received this award are not eligible. Members of the Membership and Communications Committee are also not eligible for nomination.

## Nomination Requirements

- A description of the nominee's relationship to the SMSA or Member's program or organization;
- A detailed description of the nominee's contributions and accomplishments in motorcycle safety and how they impacted national, state or local efforts; and
- The nominator's rationale and justification for nominating this individual.

### **SMSA Outstanding Supporting Member Award**

The SMSA Membership and Communications Committee will seek nominations for the SMSA Outstanding Supporting Member Award. This Award recognizes supporting members who through their dedication, commitment and contribution to motorcycle safety have made a positive impact on a national, state or local level. Nominees must be currently associated with the SMSA and have an active membership. Organizations may not nominate themselves; organizations that have received this award within the last 5 years are not eligible.

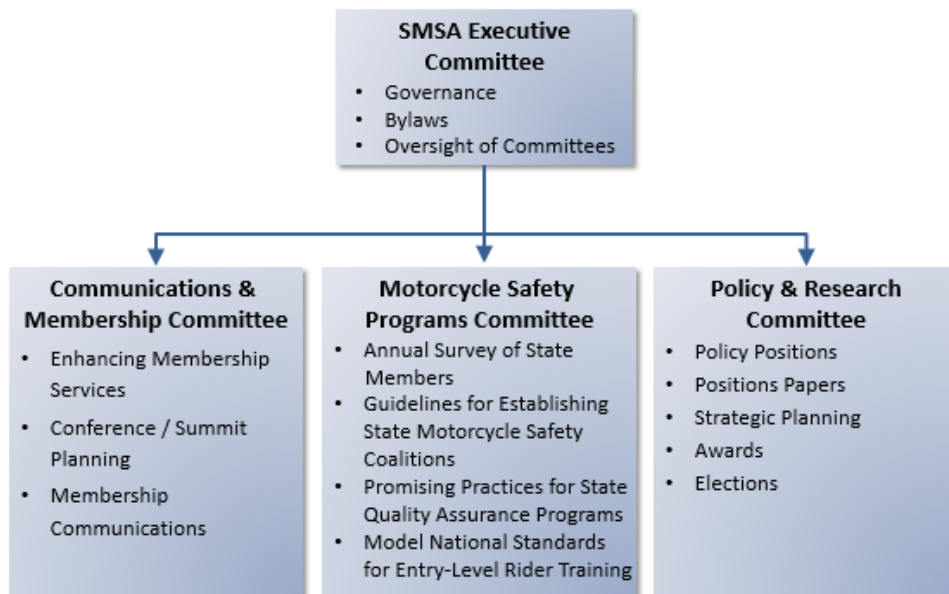
## Nomination Requirements

- A description of the nominee's relationship to the SMSA;
- A detailed description of the nominee's contributions and accomplishments in motorcycle safety and how they impacted national, state or local efforts; and
- The nominator's rationale and justification for nominating this organization.

## **Committee Structure**

The State Motorcycle Safety Association has established a committee structure consisting of three (3) committees. All activities of the Association shall either fall under the SMSA Executive Committee (EC) or the committees. The committees shall report to the SMSA EC. The EC and committees shall be supported by the SMSA staff. The SMSA Executive Committee is responsible for establishing and maintaining the SMSA Committee structure.

The SMSA Committee Structure may also consist of Subcommittees, Working Groups and Special Task Forces as needed. Committee members are volunteer only basis.



## **Committee Composition**

- Committees shall be comprised of a maximum of nine (9) members from any of the SMSA membership categories and must include at least:
  - 1 State Member
  - 1 Supporting Member
  - 1 Individual Member
- The SMSA committees shall be supported by:
  - Two (2) Executive Committee Liaisons per committee
  - SMSA Office Staff
- The committee Chairperson and Vice Chairperson shall be selected by the SMSA Executive Committee Chairperson from any of the three (3) SMSA membership categories.

## **Committee Chair Responsibilities**

- Providing feedback to SMSA Executive Committee and SMSA staff on projects and activity deliverables monthly.
- Providing an annual report at SMSA Business Meeting of Committee activities.

## **Committee Member Responsibilities**

Responsibilities of Committee Members include:

- Representing the interests of the SMSA members as a whole.
- Representing the interest of the membership category represented.
- Assisting in overseeing project and activity expectations.
  - Participating in conference calls/web meetings of the committee.
  - Conducting research as needed.
  - Developing sections of documents if needed.
  - Reviewing and commenting on project documents and activities.
  - Contacting members represented to solicit input and feedback on projects and activities.
  - Participating in an annual meeting of the Committee in conjunction with the annual SMSA conference (either prior to or post conference) if attending.
- Identifying possible SMSA projects and activities.
- Providing suggestions for SMSA Spotlight Magazine articles and annual conference/Conference presentations.

## **Executive Committee and Staff Responsibilities**

The SMSA Executive Committee shall provide direction and feedback to the committees. The SMSA staff shall be responsible for planning and development of tasks associated with all committee projects and activities in consultation with the committee chairperson.

Specifically, the Executive Committee and staff shall be responsible for:

- Providing Committee Members with up-to-date membership contact information.
- Scheduling conference calls / web meetings.
- Distributing minutes from conference calls / web meetings.
- Supporting the activities of the committee.
- Reporting activities to the SMSA Executive Committee.

## **Conference Calls and Meeting Arrangements**

The Committees will participate in conference calls / web meetings as needed. A meeting of each Committee will be held annually in conjunction with the annual SMSA conference/Conference. Members will be notified in advance by the SMSA staff of

scheduled conference calls / web meetings and annual meetings held in conjunction with the SMSA annual conference/Conference.

## **Reporting**

The Committee, through the Chairperson or Vice Chairperson, the Executive Committee Liaisons and staff shall report to the SMSA Executive Committee during regularly held SMSA Executive Committee conference calls.

## **Inter-Committee Coordination**

The Committee Chairperson is encouraged to participate in activities and meetings of other SMSA committees to provide continuity and to assist with inter-committee activities. Activities may include, but are not limited to, participating in committee conference calls, email exchanges and activities that cross committee responsibilities.

## **Resources and Budget**

Resources and budgets will be established based on individual projects if available.

## **Deliverables**

Specific deliverables will be identified by the SMSA Executive Committee and included in Addendum B.

### **Communications & Membership Committee**

The Communications and Membership Committee is responsible for projects and activities relating to motorcycle safety awareness, membership services, communications, conferences and professional workshops.

See the SMSA Communications and Membership Committee Charter for more details.

### **Motorcycle Safety Programs Committee**

The Motorcycle Safety Programs Committee is responsible for projects and activities relating to state motorcycle safety programs, rider education and training, life-long learning, research and data collection.

See the SMSA Motorcycle Safety Programs Committee Charter for more details.

### **Policy & Research Committee**

The Policy and Research Committee is responsible for projects and activities relating to the development of SMSA policy – to include research and the

development of policy papers and position statements. The Policy and Research Committee is also responsible for SMSA awards and elections.

See the SMSA Policy & Research Committee Charter for more details.

## **Executive Committee**

### **Executive Committee Meeting Attendance**

Non-Voting members and visitors may be allowed to attend the Executive Committee meetings for a given block of time with pre-approval from the SMSA Chairperson.

## **SMSA Executive Committee Members Code of Ethics**

### **Executive Committee Members**

The responsibilities and duties of the Chairperson, regional representatives, supporting and individual representatives and members at large serving as members of the Executive Committee of the State Motorcycle Safety Association are fiduciary in nature and must be approached as such. In general, the Executive Committee has broad authority to manage the affairs of the Association. The Executive Committee, as the elected representative body of the Association, governs the Association, establishes policies and rules, assures the accuracy of financial and administrative records, maintains the property of the Association, and promotes the cooperative interaction between state funded rider education programs, private industry, and other organizations and individuals with an interest in motorcycle safety issues.

Because of the critical role the Executive Committee plays in the life of the Association, Executive Committee members need to be aware of their responsibilities and be familiar with the Association's By-laws and governing documents. It is equally important that Executive Committee members are aware of what conduct is expected of them. Concern regarding personal liability for decisions made by the Executive Committee on behalf of the Association is not unfounded. However, articulation of the appropriate processes and procedures designed to protect Executive Committee members from personal liability may protect the members from such liability.

### **Basic Conduct Expected of Executive Committee Members**

Generally, rules are connected to a set of conduct or behavior. The basic conduct expected of Executive Committee members is that of fiduciaries. Inherent in this basic expected conduct are a number of promises. These fiduciary promises include the Executive Committee member endeavoring;

1. To do his/her best to manage the affairs of the Association;
2. To faithfully and carefully execute his/her fiduciary duty to the Association;
3. To promote above all else, the general welfare of the Association; and

4. To abide by, in managing the affairs of the Association, the mandates of the Association's Bylaws and other such documents and policies as have been established for the orderly conduct of the business of the Association.

**The Fiduciary Duty:** The Promises – To Do One's Best, To Faithfully and Carefully Execute One's Duty.

To promise to do one's best, and to faithfully and carefully execute one's duty governs the Executive Committee members' performance. As such, Executive Committee members have a duty to act in good faith and to place the interest of the Association and its members above their own interests at all times. Executive Committee members are subject to personal liability, even if they are acting in behalf of the Association. The fact that Executive Committee members are volunteers does not excuse them from their fiduciary responsibility. While this fiduciary duty is a legal principle, it may be viewed as a bundle of obligations. These obligations include the duties of:

- Obedience
- Diligence (due care)
- Loyalty
- Good Faith
- Trustworthy

Each Executive Committee member is expected to exercise this bundle of obligations in managing the affairs of the Association. A review of each of these obligations, separately, will help to shape the thought processes of the Executive Committee member and assure that he/she is fulfilling those responsibilities as the rules of conduct dictate. Essentially, however, the Executive Committee member acts as the trustee for those members within his/her region and has an obligation to act for their benefit, as would any trustee. By analogy, and in most circumstances, this duty is generally extended to persons who act on behalf of others.

**Duty of Obedience**

Executive Committee members are required to manage the affairs of the Association in accordance with the Bylaws of the Association, Association policies, the laws of the State of Colorado, and other governing documents of the Association as may, from time to time come into existence. In acting accordingly, the Executive Committee member shall fulfill his/her obligation of obedience.

It is advisable that Executive Committee members regularly review their duties and responsibilities as specified in the Bylaws, adopted policies, and other such documents as they pertain to the conduct of business of the Association.

Examples of Obedience:

1. Convening business meetings in accordance with the Bylaws;



2. Conducting meetings and official assemblies using protocols established in Robert's Rules of Order;
3. Assuring meeting notices are distributed within mandated time lines;
4. Maintaining accurate records of Association business;
5. Requiring that conflicts of interest be disclosed prior to the taking of any vote; and
6. Initiating membership invoicing and collection of member dues annually.

### **Duty of Diligence or Due Care**

This duty requires that each Executive Committee member exercise due care in the performance of managing the affairs of the Association. It is a standard of conduct which avoids negligence. In general, this standard requires that each Executive Committee member act in the same manner that a reasonable and prudent person would act in a similar circumstance.

Examples of Diligence:

1. Gathering (researching, investigating) all necessary information for decision making;
2. Consulting the opinions of appropriate professionals where necessary (e.g. legal counsel, certified public accountant, etc.);
3. Formulating and presenting a realistic and balanced budget;
4. Checking the license status of businesses contracted with for services; and
5. Responding promptly to claims for payment and assuring that services have been accurately rendered prior to authorizing such payment.

### **Duty of Loyalty**

Simply, loyalty means that an Executive Committee member makes decisions for the benefit of the Association and not for the direct or indirect benefit of him/herself, another Executive Committee member, an individual member of the Association, or a select group of Association members. This duty includes the obligations:

1. To refrain from competing with the Association; i.e., abstaining from bidding against the Association for contracts or grants where only one (1) such contract or grant shall be made;
2. To refrain from taking advantage of an Association opportunity; i.e., hiring a person whom the Association still has under active consideration for employment;
3. To avoid conflicts of interest; i.e., abstaining from voting on an issue that may directly benefit the Executive Committee member, his/her associates, another Executive Committee member, or a selected Association member or a select group of Association members; and
4. To manage the affairs of the Association fairly.

### Examples of Loyalty:

1. Voting against a request for funding when it is not allowed in the Association Bylaws, even though the request has come from a friend or colleague;
2. Maintaining the confidentiality of Association business plans, during dealing with other organizations which may be competing with the Association for grant funding or contracts; and
3. Initiating impeachment procedures or sanctions against other Executive Committee members or Association members who may have breached their fiduciary duties, even though such individuals are colleagues or friends.

### **Avoiding Conflicts of Interest**

In making decisions for the benefit of the Association, Executive Committee members should avoid conflicts of interest at all costs. A conflict of interest may be defined as “a situation in which a duty to one leads to the disregard of a duty to another”. This may be a situation where in some outside influence affects or may affect the ability to make an unimpeded, independent decision in a particular situation or when an individual owes duties or loyalties to separate entities whose interests conflict. In general, where there is a question of a conflict of interest, the Executive Committee member should:

1. Abstain from voting on the issue before the Executive Committee;
2. Disclose the nature of the conflict prior to a vote being taken; and
3. Have the minutes reflect that a disclosure has been made.

Note: Although the Bylaws of the State Motorcycle Safety Association are silent on this issue, and therefore might appear to allow an Executive Committee member with a conflict of interest to vote after the member discloses the conflict, Robert’s Rules of Order, appears to provide a better practice, to wit:

“Abstaining from voting on a question of direct personal interest. No member should vote on a question in which he/she has direct personal or pecuniary interest not common to other members of the organization” (Roberts 1990, Sec. 44, 402).

### Personal Conflicts

While not all potential conflicts of interest become actual conflicts of interest requiring disclosure, potential conflicts of interest exist where there is a possibility that an Executive Committee member’s interests might at some point in time conflict with the Association’s interests.

### **Duty of Good Faith**

In most situations, the duty of good faith is understood as an obligation to act with an honest belief that the action taken is necessary for the benefit of the Association. Good

faith decisions might be indicated by conduct in which the Executive Committee member remains:

1. Personally disinterested in the action, and has no expectation of personal benefit from the action, other than that which might be expected as a member of the Association;
2. Reasonable in the decision making process thereby making decisions which exhibit ordinary sound business judgment; independent in his/her judgments and is not inordinately influenced by another Executive Committee member or member of the Association; and
3. Unbiased, avoiding discriminatory, arbitrary, capricious or malicious intent in his/her conduct.

## **Conclusions**

Serving on the State Motorcycle Safety Association Executive Committee, as a representative, chairperson, or outgoing chairperson, is a pursuit that carries with it tremendous responsibility. Those principles which should guide the professional conduct of the Executive Committee member can be summed up as follows:

1. Serve one principal – the Association;
2. Make decisions for one mission – the welfare and benefit of the Association and its members;
3. Rise above self-interest;
4. Make decisions based upon the best information available through research, professional knowledge, or consultation when required;
5. Act independently and not necessarily at the direction or dominance of other Executive Committee members;
6. Act prudently in making decisions. Do what the “reasonable”, disinterested person would do in similar circumstances;
7. Remain knowledgeable of the affairs of the Association. This includes especially maintaining a working knowledge of the governing documentation;
8. Be responsive to your constituents, the member states within your region. This may include surveying the region’s member states for their opinions on issues; and
9. Remember that one leads best by serving best.

## **Listserv Terms of Use**

### **Participation in the SMSA Listserv**

The State Motorcycle Safety Association (SMSA) member email list server (Listserv) was established to provide a private forum for members to share and exchange information on furthering state motorcycle safety and rider education efforts. Participation in the member Listserv is a privilege and open only to SMSA members in good standing.

The SMSA member Listserv is a private forum and is moderated to ensure content is appropriate and relevant to the administration of motorcycle safety programs. The SMSA member Listserv is hosted as a courtesy by Oregon State University (OSU). OSU has its own Mailing List Policy that is available at <http://is.oregonstate.edu/it-infrastructure-services/net/network-info-policies/osu-mailing-list-policy>.

SMSA establishes these Terms of Use to govern the operation of the SMSA member Listserv and to comply with the Mailing List Policy of Oregon State University. The Listserv is intended to promote the open exchange of ideas and information to promote the mission, vision and goals of the SMSA in a manner consistent with these SMSA Core Values:

1. Respect the diversity of our members and partners;
2. Collaborate with our members and partners;
3. Provide opportunities for open communication between our members and partners;
4. Operate in an ethical, professional and transparent manner;
5. Operate in a fiscally responsible manner;
6. Build trust and confidence by committing to excellence; and
7. Promote evidence-based practices and approaches.

By subscribing to the SMSA Listserv, you agree to be bound by these Terms of Use in their entirety. The SMSA reserves the right to change these Terms. The most current Terms of Use are available to all members in the Members Only Section of the SMSA website, [www.smsa.org](http://www.smsa.org). Members will be notified when changes to the Terms of Use are made. Your continued use of the Listserv constitutes agreement to the Terms of Use in effect at that time. A Listserv User may terminate their own use of the Discussion Group at <http://lists.oregonstate.edu/mailman/listinfo/smsa>.

The SMSA monitors and moderates the listserv to ensure adherence to the Terms of Use. The SMSA reserves the right to temporarily or permanently discontinue the operation of the Listserv with or without notice. The SMSA will not be liable to a Member or any third party for any modification, suspension, or termination of the list.

### **SMSA Listserv Guidelines**

As with any community, rules and guidelines are needed to define appropriate behavior on e-mail discussion lists. The SMSA member Listserv must be used in a manner consistent with the SMSA Core Values. Users are urged to adopt these practices:

- Unless your identity is otherwise apparent from your posting, include a signature tag on all Posted Material. Include your name, affiliation, location, and e-mail address.
- Assume that the world could see your Posted Material and identify it with you.

- State clearly the specific topic of the Posted Material in the subject line. This allows users to respond more appropriately and allows for automatic message archiving.
- Posts to the Listserv should be constructive in tone. Avoid language that is demeaning or degrading to other members, other individuals or organizations. The discussions on this Listserv are meant to stimulate open conversation, while maintaining respect for the diversity of perspectives, opinions and ideas within the motorcycle safety community.

### **SMSA Listserv Prohibited Communications**

The following behaviors are specifically prohibited on the SMSA Listserv. SMSA may suspend or terminate users who engage in any of the following behaviors:

- Any communication of a derogatory, demeaning or attacking nature toward another member, other individual or organization;
- Posting to the Listserv any false, defamatory, libelous, obscene, pornographic, profane, harassing, hateful, abusive, threatening, harmful; including without limitation: viruses, corrupted files, spam, or any other similar software or programs or unlawful materials. The author and participants of such comments or harmful acts shall be held liable for any consequences.
- Using the information contained in exchanges on the listserv to the detriment of another Listserv User or any other Member;
- Posting promotional statements or materials of any kind to solicit business or engage in buying and selling of goods, services, programs, or activities except for statements or materials announcing or soliciting participation in SMSA-sponsored programs or activities;
- Using defamatory, abusive, profane, threatening, offensive language; or
- Posting of illegal or copyrighted materials. Please note: SMSA will investigate notices of copyright infringement and take appropriate actions under the Digital Millennium Copyright Act, 17 U.S.C. § 512(c)(2) ("DMCA"). Pursuant to the DMCA, written notification of claimed copyright infringement must be submitted to SMSA Office or
- Using the Listserv in any manner that violates any applicable laws or regulations.

If you do not understand or have questions about any of these Terms and need clarification, contact the SMSA Office.

In the event that any inappropriate posting is submitted to the Listserv, the SMSA, in its sole discretion, may take any and all appropriate action. As the moderator, the SMSA reserves the right to block any inappropriate communication as defined by these Terms. The SMSA reserves the right to suspend or terminate access to any Listserv user who does not abide by these Terms of Use, after written notice, and reserves the right to suspend or terminate access to any user not in good standing with SMSA.

A member whose access to the Listserv is suspended or terminated by the SMSA may appeal that decision to the SMSA's Executive Committee. The appeal must be submitted in writing to the SMSA Office no later than ten (10) business days after the termination of access rights. The SMSA Executive Committee will review the appeal and may interview parties or request information in order to reach a decision. The decision of the Executive Committee is final.

The views expressed through the discussion group are those of the site user expressing them, and do not necessarily reflect the views of SMSA. SMSA shall not be liable to you or any third party for any loss of profits, loss of use, interruption of business, or any direct, indirect, incidental or consequential damages of any kind, even if SMSA was advised of the possibility of such damages or was negligent.

### **SMSA Listserv Indemnification**

SMSA's liability is limited to the greatest extent permitted by law. The Listserv User agrees to indemnify, defend and hold SMSA and its officers, directors, employees and agents harmless against any and all claims, losses, liabilities, damages, disputes and attorney's fees (collectively, "Losses"), arising from your use of the Listserv or your breach of these Terms of Use, including without limitation Losses arising from your posting of and/or use of Posted Material.

If you do not agree to these Terms of Use, please contact the SMSA Office to be removed from the SMSA member Listserv.

### **Positions Statements Process**

The SMSA Position Statements Process is a guideline for any proposed position that is to be submitted to the SMSA Executive Committee and Membership. These guidelines were developed by the SMSA Policy and Research Committee.

### **The State Motorcycle Safety Association Position Statements Process**

- I. Proposed position statements should be initiated by a State Motorcycle Safety Association (SMSA) Member that is currently considered to be 'in good standing;' the SMSA Executive Committee or one (1) of the SMSA Committees.
- II. Proposed position statements shall support the overall principles, goals, and objectives of the Association and include the scope of the position statement, including a description of why the proposed position statement is needed and its intention.
- III. All proposed position statements will be drafted by the recommending party and directed to the SMSA Policy and Research Committee for initial consideration.

The committee may approve the proposed position statements, reject the proposed position statement or return it to its owner with a request for clarification or changes.

- IV. If approved for recommendation at the SMSA Policy and Research Committee level, the proposed position statement will then be forwarded for consideration to the SMSA Executive Committee.
- V. Approval will be merited by a direct vote of the SMSA Executive Committee only when a quorum is present. If present, a simple majority of those present and voting shall carry the position statement.
- VI. Upon approval by the SMSA Executive Committee, the position statement will be routed to designated voting members of the SMSA 'in good standing.'
- VII. The vote will be open for 30 days, whereby a simple majority shall be considered sufficient to pass the position.
- VIII. Ballots not returned or transmitted within 30 days shall not be counted in the vote tally.
- IX. Upon membership approval, the approved position statement will then be published as a SMSA Position Statement.
- X. Positions statements deemed unfavorable at any point in the review process must be returned to the submitting party with an explanation of the decision from the SMSA Policy and Research Committee.
- XI. After implementation, it may be necessary to monitor compliance with the position statement and note any problems that arise as a result of its implementation. This is a shared responsibility of the SMSA Executive Committee and the SMSA Policy and Research Committee.

## **Spotlight Magazine**

The SMSA publishes and distributes the four (4) editions of the Spotlight E-newsletter a year. Articles can be submitted by anyone at any time. All articles are reviewed by members of the Communication and Membership Committee.

## **Guidelines for Submitting SMSA Spotlight Magazine Articles**

### **Discretion of SMSA to Select Articles**

SMSA reserves the right to select those article submissions that support the SMSA Mission, Vision and Goals and that serves the educational and informational intent of the SMSA Spotlight Magazine.

Submission of an article does not guarantee placement in the Spotlight Magazine.

Authors will be notified by SMSA of acceptance. SMSA reserves the right to edit articles, as appropriate, for readability and flow. Submitted articles that do not meet these criteria will be referred back to the author(s) for modification.

### **Article Content**

Articles submitted shall be educationally and informationally oriented.

Articles shall not be of a derogatory nature toward any individual or organization.

### **Number of Words**

Article submissions should not exceed the maximum number of words for:

- 1<sup>st</sup> Page Article – Should be a maximum of 350 words allowing for pictures and graphics. It is SMSA discretion to select articles for the 1<sup>st</sup> page.
- Full Page Article – Should be a maximum of 650 words allowing for pictures and graphics.
- It is understood that topics of a detailed nature may exceed the maximum number of words. These articles should be coordinated with the SMSA Office.

### **Pictures and Graphics**

Pictures and graphics should be included with the article submission. Pictures and graphics draw the attention of the reader and place an added emphasis and value to the article.

- Include pictures, graphics or logos that support the article submission and are authorized for use, including permission to publish. This includes pictures of individuals. Through the article submission, SMSA is authorized to utilize the pictures, graphics or logos for use by SMSA.
- Pictures, graphics or logos should be high quality and be a minimum of 300 dpi for printing purposes.
- The preferred format of pictures, graphics or logos is Portable Network Graphics (.png). Other acceptable formats include .jpeg, .tif and gif.
- Logos and other graphics should have a transparent background if applicable. This does not include tables. The .png format is the best format for transparent backgrounds.
- Include a headshot picture of the author with the article submission.

### **Other Information to Include**

- Full name of the author(s)



- Title(s) of the author(s) , if applicable
- Organization name, if applicable
- Email address and/or phone number of the author(s)

All submissions will be forwarded to the SMSA Communications and Membership Committee for review and approval.

## **Travel Policy**

**All travel must be preapproved in advanced by the SMSA Executive Director.**

All travel should be booked within a minimum of 14 days in advance of the planned departure. Any travel that is booked less than the 14-day advance requirement, will require approval by the SMSA Executive Director.

Reasonable travel expenses will be reimbursed for approved travel upon submission of a completed SMSA Travel Expense Form.

Travel Expense Vouchers must be submitted to SMSA with appropriate invoices addressed to SMSA.

Expense reimbursements not meeting these guidelines will be denied and returned to the traveler for correction.

Meals and lodging are reimbursed based on the federal GSA per diem schedule. Details on federal GSA per diem rates by city can be found at:  
<http://www.gsa.gov/portal/content/104877>.

The first and last day of a business trip is reimbursed at 75% of the current GSA per diem rate for meals and incidentals.

No receipts are required for travel meals & incidentals (M&IE).

Itemized receipts for all other expenses, regardless of amount, are required.

If meals are provided, Per Diem must be reduced by applicable Per Diem amount.

Documentation of mileage is required; include Google Maps or MapQuest directions.

Boarding pass & receipt is required for airfare.

The purchase of airline tickets shall be the lowest coach fare. The cost of airline tickets must be entered on the expense voucher and the original receipt of the airline ticket attached. If an electronic ticket is purchased using a personal credit card, the traveler must submit the electronic receipt and the boarding passes. It is the traveler's responsibility to submit boarding passes with the expense voucher form.

Lowest rates must be used, e.g., self-parking vs. valet parking or shared-ride/taxi vs. premium driver services.

Reimbursement request should be submitted within 10 days of travel completion. Electronic versions of the Expense Voucher may be submitted by email. You are responsible for keeping your original receipts on file.

**SMSA WILL NOT REIMBURSE INDIVIDUALS FOR THE FOLLOWING EXPENDITURES:**

- Personal expenses, e.g., laundry services, etc.
- Telephone charges not associated with official SMSA business.
- Alcoholic beverages are NOT reimbursable.
- Travel upgrades to premium seats are NOT reimbursable.
- Deviations from these policies may be authorized in certain circumstances, but must be approved in advance by the Chairperson or Executive Director and documented under the notes section.

**SMSA travel forms will be provided to travelers who have been pre-approved for SMSA travel.**